

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

VINCENT WOODHOUSE,

Plaintiff,

v.

CIVIL ACTION NO. 7:20cv655

MAJOR KING, *et al.*,

Defendants.

DEFENDANTS' MOTION FOR EXTENSION OF TIME

Defendants, by counsel, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, move this Honorable Court for entry of an Order enlarging the time in which to file an initial response to the Complaint (ECF No. 1) for the following reasons:

1. As the Court is well aware, there have been substantial efforts throughout the nation to mitigate the outbreak of coronavirus (COVID-19). As a result of the continued public health emergency posed by COVID-19, the Office of the Attorney General continues to take steps restricting the number of employees reporting to the office for work and promote social distancing. Almost all attorneys and staff, including the undersigned, continue to work remotely. As part of this response, the Office of the Attorney General was physically closed to all staff for a two-week period in December 2020 and again in January 2021. This has caused significant difficulties and delays. Consequently, the access of information, the drafting of pleadings, and the communication with the support staff and prison officials have all been impacted, resulting in work delays and increased time needed to accomplish tasks.

2. On February 2, 2021, undersigned counsel for Defendants waived service and entered a notice of appearance on behalf of Defendants—making their deadline to file an initial response to the Complaint (ECF No. 1) March 8, 2021.

3. Counsel for Defendants is preparing a responsive pleading but needs additional time to gather evidence needed to draft a response to Plaintiff's allegations. Counsel has been diligent in attempting to comply with these deadlines but is constrained to admit that, due to the difficulties described herein, additional time is needed. Defendants respectfully request an additional thirty (30) days from the date the Order granting this Motion is entered to file an initial response to the Complaint (ECF No. 1).

4. Counsel recognizes that it is disfavored to file a motion for extension of time on the date the response is due, but the undersigned submits that this motion is made in good faith, is not interposed for the purpose of delay, will work no prejudice to the Plaintiff, and is in the best interests of justice and judicial economy.

Respectfully submitted,

MAJOR KING, JOSEPH ELY, and UNIT
MANAGER STALLARD

By: s/ Laura H. Cahill
Laura H. Cahill, AAG, VSB#86328
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CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of March 2021, I electronically filed the foregoing Defendants' Motion for Extension of Time with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following CM/ECF participants: N/A, and I hereby certify that I have mailed the document by United States Postal Service to the following non-CM/ECF participant:

Vincent Woodhouse, # 1031027
Wallens Ridge State Prison
P.O. Box 759
Big Stone Gap, VA 24219

s/ Laura H. Cahill
Laura H. Cahill, AAG, VSB#86328
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